



MEMORANDUM

Agenda Item No. 7(K)(1)(A)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: December 4, 2003

FROM: George M. Burgess
County Manager

SUBJECT: Resolution Approving
Targeted Jobs Incentive
Fund Program
Participation for TBD
Commercial Bank

The attached documents relating to Targeted Jobs Incentive Fund (TJIF) program participation by TBD Commercial Bank, Miami-Dade County commitment of TJIF incentive awards, and application and agreement, pursuant to Miami-Dade County Code, Chapter 2, Article LXXXVI as modified by Ordinance No. 02-251, have been prepared by the Office of Community and Economic Development and are recommended for approval.

APPLICANT:	TBD Commercial Bank
HEADQUARTERS LOCATION:	C/o Fox 27 Management, Inc. 9100 South Dadeland Boulevard Suite 410 Miami, Florida 33156
PROPOSED LOCATION IN MIAMI-DADE COUNTY:	Various locations
OTHER LOCATIONS UNDER CONSIDERATION:	N/A
DATE OF TJIF APPLICATION:	October 2, 2003
OVERALL BUSINESS ACTIVITY/MISSION:	Provider of Financial Services
PROPOSED LOCAL BUSINESS ACTIVITY:	A new business establishment in Miami-Dade County
TARGETED INDUSTRY:	Financial Service Industry
PROPOSED LOCATION IN DESIGNATED PRIORITY AREA?	Various locations in Miami-Dade County
NEW BUSINESS OR EXPANDING BUSINESS?	New Business
NUMBER OF DIRECT JOBS TO BE CREATED: (AT LEAST 10 JOBS TO QUALIFY)	75
ANNUALIZED WAGES FOR DIRECT JOBS:	\$59,000

Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners
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NUMBER OF INDIRECT JOBS TO BE CREATED:	38
NUMBER OF YEARS TO CREATE NEW JOBS:	3
MAXIMUM YEARS FOR INCENTIVE AWARDS:	6
MAXIMUM INCENTIVE AWARD PER JOB:	\$3000
MAXIMUM INCENTIVE AWARD APPLIED FOR:	\$225,000
ESTIMATED INCREMENTAL TAX REVENUE:	\$300,783
COUNTY'S MAXIMUM AWARD ON PROJECT:	\$225,000
COMMENTS:	

Attachments


Assistant County Manager



MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: December 4, 2003

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 7(K)(1)(A)

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved _____ Mayor

Veto _____

Override _____

Agenda Item No. 7(K)(1)(A)

12-4-03

RESOLUTION NO. _____

RESOLUTION APPROVING TBD COMMERCIAL BANK AS A TARGETED JOBS INCENTIVE FUND PROGRAM BUSINESS PURSUANT TO THE CODE OF MIAMI-DADE COUNTY, FLORIDA, CHAPTER 2, ARTICLE LXXXVI AS MODIFIED BY ORDINANCE NO. 02-251; CONFIRMING THAT THE COMMITMENT OF INCENTIVE AWARDS FOR TBD COMMERCIAL BANK EXISTS; AND PROVIDING AN APPROPRIATION OF UP TO \$225,000 FROM GENERAL REVENUE FUNDS FOR FISCAL YEARS 2006 THROUGH 2011 WITH THE PROVISIO THAT ANY TAX ABATEMENT GRANTED TO TBD COMMERCIAL BANK UNDER FLORIDA STATUTE 196.1995, REDUCES ANY TARGETED JOBS INCENTIVE FUND INCENTIVE AWARD TO TBD COMMERCIAL BANK BY THE AMOUNT OF ANY SUCH TAX ABATEMENT GRANTED, IN COMPLIANCE WITH FLORIDA STATUTE 288.106(5)(C); AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, this Board desires to accomplish the purposes outlined in the accompanying memorandum, Economic Impact Overview, and Application and Agreement, copies of which are incorporated herein by reference,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA, that this Board hereby finds that attracting, retaining and providing favorable conditions for the growth of target industries provide quality employment opportunities for residents of the County and enhance the County's economic foundations and authorize the County Manager to execute the Application and Agreement between Miami-Dade County and TBD Commercial Bank thereby approving TBD Commercial Bank as a targeted jobs incentive fund program business pursuant to the Code of

Miami-Dade County, Florida, Chapter 2, Article LXXXVI, as modified by Ordinance No. 02-251.

The applicant's new business activity is to be determined and various Miami-Dade locations are being considered. The commitment of incentive awards for TBD Commercial Bank exists in an amount not to exceed \$225,000 from General Revenue Funds, and is conditioned on and subject to specific annual appropriations by the Board in the following increments:

Fiscal Year 2006	\$37,500
Fiscal Year 2007	\$37,500
Fiscal Year 2008	\$37,500
Fiscal Year 2009	\$37,500
Fiscal Year 2010	\$37,500
Fiscal Year 2011	\$37,500
TOTAL	\$225,000

with the proviso that any tax abatement granted to TBD Commercial Bank under Florida Statute 196.1995, reduces any TJIF tax refund by the amount of any such tax abatement granted, in compliance with Florida Statute 288.106(5)(c), and will be paid to TBD Commercial Bank with the stipulation that TBD Commercial Bank is in compliance with the TJIF program including the requirement that at least ten (10) jobs be created.

The commitment of incentive awards shall be contingent on TBD Commercial Bank maintaining the jobs during the life of the incentive and ensuring that its hiring practices are consistent with and reflect the diversity of the Miami-Dade County community.

The foregoing resolution was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson
Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro

Betty T. Ferguson

Joe A. Martinez

Dennis C. Moss

Natacha Seijas

Sen. Javier D. Souto

Jose "Pepe" Diaz

Sally A. Heyman

Jimmy L. Morales

Dorrian D. Rolle

Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 4th day of December, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

HARVEY RUVIN, CLERK

Approved by County Attorney as _____
to form and legal sufficiency.

By: _____
Deputy Clerk

Shannon D. Summerset



THE BEACON COUNCIL

RECEIVED

OCT 24 AM 8:13

October 22, 2003

Ms. Tangy White
Director of Economic Development Division
Office of Community & Economic Development
140 West Flagler Street, Suite 1000
Miami, FL 33130-1561

Miami-Dade
County's
Official
Economic
Development
Partnership

80 Southwest
Eighth Street
Suite 2400
Miami,
Florida
33130
Telephone:
305.579.1300
Facsimile:
305.375.0271
[www.beacon
council.com](http://www.beaconcouncil.com)

Dear Ms. White:

Enclosed you will find an application for the Miami-Dade County Targeted Jobs Incentive Fund (TJIF). The company is a financial services entity that is considering establishing their headquarters and operations center in Miami-Dade County. The entity will create approximately 75 new jobs within a three-year period (2005-2007) and make a capital investment of approximately \$9.3 million for establishing the headquarters, operations center and various branches.

We are referring this application to your office for review and preparation of a resolution to the Miami-Dade Board of County Commissioners requesting a maximum of \$225,000 to be paid over a period of 6 years (2006 - 2011). Attached is the economic impact analysis prepared by the Beacon Council Research Department.

We are requesting that the item be placed on the agenda of the Economic Development and Human Services Committee meeting scheduled for November 12, 2003 and the Miami-Dade Board of County Commissioners meeting scheduled for December 2, 2003.

We look forward to working together for the benefit of the economic development of Miami-Dade County. If you have any questions please contact me at 305-579-1343.

Sincerely,

Carlos Leonard
Senior Vice President
Business Development

CC: Tony Crapp
Bryan Finnie
Jurgen Teintze

Section 1. Targeted Jobs Incentive Fund (TJIF)

Background

- 1.1 The Targeted Jobs Incentive Fund is an initiative fashioned by The Beacon Council and Miami-Dade County and patterned after the State of Florida Qualified Target Industry Tax Refund Program (QTI). The program's intent is to attract relocating out-of-area businesses and encourage expansion of existing local companies by providing cash incentive awards. As with the QTI Program, a Company is required to create a certain number of jobs and must also generate enough new revenue to Miami-Dade County to fund its TJIF benefit. While the State's QTI program is limited to certain industries, including corporate headquarters relocation, the TJIF Program may also be utilized for the One Community One Goal (OCOG) industries, as well as the expansion and/or relocation of other operational components of a business (i.e. sales office, warehouse).
- 1.2 The TJIF is an inducement program available only to companies from outside the County (with the exception of Palm Beach, Broward, and Monroe Counties) wishing to relocate here, and to Miami-Dade companies which undertake a business expansion and which create jobs as a result of the local expansion. Nevertheless, a Palm Beach, Broward or Monroe County-located Company that is planning to relocate outside South Florida is eligible for this program. The Company must provide verifiable documentation supporting its consideration of other locales. Any business decisions, such as announcements, leasing of space or hiring of employees, made prior to the final TJIF approval will likely be grounds for disapproval unless waived by the Miami-Dade County Manager after a showing of good cause.
- 1.3 Although the TJIF is available to companies countywide, it is also used to encourage investment and the creation of jobs in Enterprise Zones, the Empowerment Zone and in Urban Targeted Areas by providing business with an additional award per job if the Company locates within these specified areas.
- 1.4 Another goal of the TJIF is to encourage companies to hire residents living in Enterprise Zones, the Empowerment Zone and Urban Targeted Areas. Companies hiring said residents will be eligible to receive an additional amount per new job created.
- 1.5 The TJIF program is strictly a performance-based incentive that is only paid out to the Company after it has met all of its job creation projections, capital investment commitments and must provide the incremental tax revenue necessary to fund the award.

Section 2. Criteria

- 2.1 The Targeted Jobs Incentive Fund (TJIF) is limited to the targeted industries as per the State of Florida QTI Program. In addition, the One Community One Goal (OCOG) target industries are also eligible, as are regional offices. They include, but are not limited to, the following:
- a. Aviation
 - b. Biomedical
 - c. Film and Entertainment
 - d. Financial Services
 - e. Information Technology
 - f. International Commerce
 - g. Telecommunications
 - h. Visitor and Tourism
- 2.2 The Company must create at least 10 new jobs. If the project is an expansion, the number of new jobs to be created must be the greater of a minimum of five new jobs or at least ten percent of the Company's work force at the time of application.
- 2.3 The Company's countywide ad valorem property taxes, excluding debt service, and countywide portion of sale taxes paid must generate sufficient incremental tax revenue to the County in order to fund the award. Incremental revenue generated by the project shall be determined by utilizing an Economic Impact Model and analysis by both The Beacon Council and County staff. The project must exhibit a positive Return on Investment Incentive of at least 120%.
- 2.4 This Application and Agreement must be signed by the Company and Miami-Dade County stipulating the number of new jobs to be created, the projected amount of capital investment, the amount of the projected tax revenue and the time frame of when the project will be completed. Payment to the Company will only be made after it has achieved all economic benchmarks.
- 2.5 The TJIF is an inducement program that is only available to companies considering a relocation and/or expansion in Miami-Dade County and one or more other communities. The TJIF is utilized to induce "New to Market" companies to relocate to Miami-Dade County (not available for companies located within Palm Beach, Broward and Monroe Counties unless a Company is planning to relocate outside South Florida). Companies located in other Florida counties are eligible for TJIF for any net new jobs being created in Miami-Dade County. The Company must provide verifiable documentation supporting its consideration of other locales. Any business decisions, such as announcements, leasing of space or hiring of employees, made prior to the final TJIF approval will likely be grounds for disapproval.

Section 3. Program Funding

- 3.1 Incremental tax revenue generated by the companies locating or expanding within Miami-Dade County funds the program.

Section 4. Award Amounts Provided By Miami-Dade County

- 4.1 The total award is based on the projected number of new jobs to be created and the amount of countywide ad valorem property taxes, excluding debt service, and countywide portion of sales taxes paid. The base award amount per new job created is up to \$3,000 if the Company is located outside any of the following areas:

Empowerment Zone
Enterprise Zone
Target Urban Area
Brownfields
Community Development Block Grant areas

If the Company is located within any of the above areas an additional bonus award of up to \$1,500 per new job created is available. Likewise, if the Company employs a resident of one of the above areas an additional bonus award of up to \$1,500 per new job created is also available.

Consideration for award within a municipality or unincorporated Miami-Dade County will be evaluated on a case-by-case basis.

- 4.2 A capital investment TJIF award may be provided to a Company when the minimum number of New Jobs has been created and when new capital investment by and/or for the Company exceeds \$3 million in taxable property value. For a period of up to six (6) years (or longer as may be determined by the Board), the Company may receive said capital investment TJIF awards in the amount of eighty percent (80%) of the amount of countywide ad valorem property taxes paid-in on the subject property if it is located in a Designated Priority Area. This award is not applicable to the ad valorem property taxes paid-in on the subject property's land value nor to any improvements in place prior to the project.
- 4.3 A Company may not receive award payments of more than twenty five percent (25%) of the total awards specified in the approved application/agreement in any fiscal year even if all the New Jobs are created in one (1) year. Further, a Company may not receive more than \$1.5 million in awards in any single fiscal year, or more than \$2.5 million in any single fiscal year if the project is located in a Designated Priority Area. A Company may not receive more than \$5 million in award payments in all fiscal years, or more than \$7.5 million if the project is located in a Designated Priority Area. Further, the total award is capped by the lower of the above or the total of the applicable ad valorem property and sales taxes paid-in as a result of the project. Additionally, a Company cannot receive both a TJIF award and Enterprise Zone Tax Abatements unless the TJIF award is in excess of the Abatement; a Company cannot receive both the TJIF award on large capital investment taxes paid-in and the TJIF regular ad valorem property tax

funded award; and, while a Company can receive both a tax refund under the State of Florida Qualified Target Industry Program and a TJIF award at the same time, it cannot receive more than an amount equal to what it has paid-in under the project at any time.

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Section 5. Payment of Incentive

- 5.1 The TJIF is a performance based incentive program; therefore, verification of the new jobs created, capital investment made by the Company, and new revenue generated to Miami-Dade County must be verified by the County prior to any disbursement of funds to the Company. This procedure must be repeated each year that the Company submits a claim for the TJIF payment. The year that is applicable for consideration of taxes paid-in resulting in incremental tax revenue is April 1 through March 31. Company award claims must be submitted each year during the period of April 1 through May 15. Any award appropriation, if made by the Miami-Dade County Board of County Commissioners will be paid in the County fiscal year that begins on October 1 following the May 15 claims-submission deadline date.
- 5.2 The TJIF incentive is paid out beginning after the first year the new jobs are created. For instance, if a Company has projected creating 400 new jobs, 100 per year during a four-year period, the incentive will be paid for the first 100 jobs in the year after the jobs have been created. Disbursement shall be over four years even if all the new jobs are created in one year. Payment to the Company will only be made after it has achieved all economic benchmarks. A Company's incremental tax revenue paid to Miami-Dade County must be sufficient to fund the Company's award. In keeping with the State QTI program requirements, a Company receiving a cash incentive award under this TJIF program and also applying for and receiving Enterprise Zone tax abatements, must, in any given year, have its TJIF cash incentive award reduced by the amount of any such tax abatement granted.

Section 6. Application Process

- 6.1 Any Company that meets the criteria and objectives of the TJIF must submit this Application and Agreement to The Beacon Council for review. The Beacon Council will prepare an economic impact analysis for the project, based on the information provided by the Company.
- 6.2 The completed Application and Agreement is submitted to Miami-Dade County for verification and concurrence with the economic impact analysis provided by The Beacon Council. The analysis should reflect a Return On Incentive Investment (ROII) of at least 120% if the Company is not located in a Designated Priority Area, at least 110% if the Company is located in a Designated Priority Area, and at least 100% if the Company is located in a Designated Priority Area and the Board of County Commissioners finds such increase is in the public's best interest and approves said ROII when jointly recommended by The Beacon Council and the County Manager. The Beacon Council presents Company Application and Agreement along with its analysis and recommendation to Miami-Dade County.

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Section 7. Review and Approval Process

- 7.1 Upon Application and Agreement evaluation by the County, staff will recommend approval or denial to the County Manager and prepare an agenda item for the next available Board of County Commissioners meeting where the TJIF incentive is considered for approval. The County Manager will recommend Application and Agreement approval or denial to the Board of County Commissioners. Per Miami-Dade County Ordinance No. 00-98 creating this program as amended by Ordinance No. 02-251, the Board of County Commissioners shall have no obligation to approve any Application and Agreement before it.
- 7.2 The Beacon Council staff and a Company representative (when requested) will attend the Board of County Commissioners meeting to be available to answer any questions related to the project and the TJIF.
- 7.3 If the Board of County Commissioners approves the Application and Agreement, the Company and the County Manager will execute said document(s). Pursuant to Florida Statutes, § 288.075 and § 288.1066, confidentiality will be protected for any information regarding a project's location and/or expansion evaluation of any site in the State of Florida. If confidentiality is requested, the Company name and identifying information shall be provided by the Company by the date indicated on the cover page of this Application and Agreement and shall be appended hereto. Upon said approval, as the applying Company you will be sent a letter by The Beacon Council stipulating the conditions of the approval.

For more information please call Carlos Leonard, Senior Vice President, The Beacon Council, at 305-579-1343.

Section 8. Application and Agreement Instructions

- 8.1 Please carefully review all Application and Agreement materials.
- 8.2 Contact The Beacon Council at the below address to discuss your project and application before submitting a formal proposal.
- 8.3 Any information or documentation that cannot be supplied in the provided space should be placed in a notebook or other presentation format. The material should be indexed, tabbed or labeled with the number of the relevant question from the Application and Agreement form.
- 8.4 The completed and signed Application and Agreement must be filed with:

The Beacon Council
Attn: Carlos Leonard, Senior Vice President
Targeted Jobs Incentive Fund (TJIF)
80 S.W. 8th Street, Suite 2400
Miami, Florida 33130
Phone: 305-579-1300
Fax: 305-579-7580

- 8.5 **Important note: This Application and Agreement must be filed prior to making the decision to locate a new business in Miami-Dade County or to expand an existing Miami-Dade County business. However, an applying Company that has initiated such a business decision may, upon request and Beacon Council recommendation, be considered by the County Manager for preserving inducement. If the County Manager authorizes preserving inducement the applying company maintains TJIF program eligibility.**

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Section 9. Employer Identification

- 9.1 **Please note: The following form may not provide enough space for required answers. Please attach a separate page with tabs that refers to the question number. Please include supporting documentation or explanation with responses where appropriate.**

9.2 TARGETED JOBS INCENTIVE FUND (TJIF)

- a) Name of TJIF Business: TBD – Commercial Bank
Must be a business unit or reporting unit of a business that is registered with or will be registered with the Florida Department of Labor and Employment Security.
- b) Mailing Address: c/o Fox 27 Management, Inc.; 9100 S. Dadeland Blvd., Suite 410
Miami, FL 33156
- c) Primary Business contact -please include phone and fax numbers: _____
Vincent F. Post, Jr.
(305) 670-7884 (office) (305) 670-7886 (fax)
- d) TJIF Business' federal employer identification number: To be applied for
- e) TJIF Business' unemployment compensation identification number: To be applied for
- f) TJIF Business' Florida sales tax registration number: To be applied for
- g) List SIC codes of all activities of the TJIF business: _____
- h) Describe the TJIF business' primary business activities: _____
Commercial Banking and Financial Services

- 9.3 a) Is the TJIF business 51% or more minority owned? YES X NO
- b) If YES, please explain: _____
- c) Is the TJIF business certified as a Black Business Enterprise (BBE), Women Business Enterprise (WBE), Hispanic Business Enterprise (HBE), Community Small Business Enterprise (CSBE), Community Business Enterprise (CBE) and/or Disadvantaged Business Enterprise (DBE) pursuant to Miami-Dade County Code?
 YES X NO

- 9.4 a) Has the TJIF business ever been subjected to criminal or civil fines and penalties?
 YES X NO
- b) If YES, please explain: N/A _____

Section 10. Project Identification / Information

- 10.1 Description of the type of business activity or product covered by the project:
- a) Is the business unit a (please choose one):
- ☒ New business to Miami-Dade County
- ☐ An expansion of an existing Miami-Dade County business
- b) How many Miami-Dade County-located employees are there currently in the expanding business unit: NONE
- c) Full project description: Bank (DeNovo) to be headquartered in Miami-Dade County. Initial planned retail branch offices for the company of 18 within 12 -24 months and a plan to open a separate headquarters office and separate operations center which are planned to be located in Miami-Dade County. Bank will be a full service financial institution.
-
- 10.2 Check the appropriate box and complete the line item:
- ☐ Project's current location, if applicable: N/A
-
- ☒ Project's proposed location, if different from above: TBD
-
- 10.3 Check the boxes that best define your project:
- | | |
|--|---|
| 1 <input type="checkbox"/> regional headquarters office | 5 <input type="checkbox"/> manufacturer |
| 2 <input checked="" type="checkbox"/> national headquarters office | 6 <input checked="" type="checkbox"/> office |
| 3 <input type="checkbox"/> world headquarters office | 7 <input checked="" type="checkbox"/> sales & marketing |
| 4 <input type="checkbox"/> Latin America headquarters office | 8 <input type="checkbox"/> warehouse / distribution |
- 10.4 If the project is not a headquarters, or if it includes other target industries, indicate the major industry groups(s) and the four-digit SIC code of each target industry or industries included in this project:
- | Business Activities | 2-digit
SIC Code | 4-digit
SIC Code |
|---------------------------|---------------------|---------------------|
| <u>Financial Services</u> | <u>60</u> | <u>6022</u> |
| <u></u> | <u></u> | <u></u> |
| <u></u> | <u></u> | <u></u> |
| <u></u> | <u></u> | <u></u> |
| <u></u> | <u></u> | <u></u> |

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10.5 Project employment and wages:

- a) Existing jobs in Miami-Dade County None
- b) Total number of new jobs projected to be created by the project at the business indicated in item 9.2.a): Approx 75 by year three.
- c) If new jobs are to be phased in, provide the date when each phase of employment will be fully implemented (please limit the job creation phases to three):

Phase	Total New Jobs	Date
I	28	March, 2005
II	24	March, 2006
III	23	March, 2007

- d) Annualized average wage (not including benefits) of the new jobs created by the project at the business indicated in item 9.2.b): \$59,000
- e) Square footage: EXISTING: N/A NEW: Approx. 3000 (1st office) *

* Remaining offices over three year period should approximate an additional 36,000 sq. ft. plus headquarters at approximately 5,000 sq. ft. and operation center at approximately 20,000 sq. ft. Total 64,000 sq. ft. anticipated in three year projection.

- 10.6 a) Anticipated commencement date of project: April 1, 2004
- b) Anticipated timeframe when the project will be completed: Three years from opening first office

- 10.7 Amount of cash incentive award requested from Miami-Dade County \$ 225,000

Section 11. Project Impact Information

- 11.1 Miami-Dade County Ordinance 00-98 as amended by Ordinance 02-251 requires that Miami-Dade County review and evaluate the application based on the following issues. Therefore, thorough and concise responses to the items below are very important.

11.2 **Incentive Rationale:**

Provide a statement indicating why the incentive award is needed to further the project. What role will the incentive award play in the decision of the applicant to locate or expand in Miami-Dade County? Indicate whether or not there are other communities competing for this project, and if so, which communities, and what incentives are being offered by these communities. Also, specifically address the role the incentive will play in creating Miami-Dade County jobs. This statement should include an analysis of the impact of any incentive awards granted on the viability of the project and the probability that the project will occur in Miami-Dade County if such incentive awards are granted to the applicant, taking into account the expected long-term commitment of the applicant to economic growth and employment in Miami-Dade County.

Incentive award will be used by defraying start up costs for a new commercial bank franchise to be headquartered in Miami-Dade County. The company anticipates creating approximately 75 new jobs for Miami-Dade County over a three-year period for a total Capital investment of \$9,300,000.

11.3 **Project Impact:**

Provide a brief synopsis on the impacts the project is expected to stimulate in the community, the state or regional economy, focusing on economic conditions in the area, including the unemployment rate in the community where the project will be located.

Project is anticipated to generate professional and clerical jobs for Miami-Dade County which will provide average salaries of \$59,000..

11.4 **Environmental and Growth Management:**

Submit a brief review of the applicant's past activities in Miami-Dade County, Florida and in other states, particularly as they relate to environmental and growth management impacts and how these have been handled. Have any criminal or civil fines or penalties been assessed? Have any awards been recommended or received? (Basically, what kind of corporate citizen has the applicant been?)

The institution intends to be involved with the community as members of the Beacon Council, the Greater Miami Chamber of Commerce as well as local chambers of commerce where our branches will be located. Principal officers and directors also maintain leadership positions in many charitable and civic organizations located in Miami-Dade County.

11.5 **Capital Investment:**

- a) Describe the capital investment in real and personal property (examples: construction of new facility; remodeling of facility; upgrading, replacing or buying new equipment):

Tenant improvements for leased space plus equipment such as computers FF&E and cash teller systems and vaults, etc.

- b) List the amount and type (purchase of machinery/equipment, construction of buildings, etc.) of major capital investment to be made by the applicant in connection with this Miami-Dade County project:

Amount \$ <u>4,000,000</u>	Construction/Renovations	<u>per office /see above *</u>
Amount \$ <u>N/A</u>	Manufacturing Equipment	<u>N/A</u>
Amount \$ <u>3,000,000</u>	Other Equipment	<u>per office/see above *</u>

*Anticipated retail offices for a total of \$7,000,000 plus Headquarter office at \$1,000,000 and Operation Center at \$1,300,000 for a total investment of approximately \$9,300,000

11.6 **Indicate other incentive programs the Company will be applying for:**

- | | |
|--|---|
| <input type="checkbox"/> Enterprise Zone Program | <input type="checkbox"/> Property Tax Abatement |
| <input type="checkbox"/> Refund of Impact Fees | <input type="checkbox"/> Sales Tax Refunds |
| <input type="checkbox"/> Jobs Tax Credit | <input type="checkbox"/> Transportation "Road Fund" |
| <input type="checkbox"/> Qualified Target Industry | <input type="checkbox"/> Quick Response Training |
| <input type="checkbox"/> Other _____ | |

Section 12. Please initial below indicating your agreement:

- 12.1 P that Miami-Dade County may review and verify the financial and personnel records of the Company and/or perform on site visits to verify employment relating to the New Jobs, review said financial and personnel records, and ascertain whether the Company is in project compliance;
- 12.2 P that compliance with the terms and conditions of the approved application/agreement is a condition precedent for the receipt of any TJIF award in a fiscal year and that Company failure to comply with the terms and conditions of the approved application/agreement results in the loss of eligibility for receipt of TJIF awards and the revocation by the County Manager or the TJIF Committee of the certification of the Company as a TJIF business;
- 12.3 P that the payment of TJIF awards are conditioned on and subject to specific annual appropriations by the Board sufficient to pay amounts under the approved application/agreement;
- 12.4 P that Miami-Dade County shall be notified in writing of any development that impacts the implementation or operation of this Agreement or the project that this Agreement covers. Such developments will include, but not be limited to: commencement of and full implementation of the project; significant project delays; cancellation of the project; and all material changes of the project; and
- 12.5 P that the Company will maintain personnel and financial records related to jobs, wages, and taxes paid which are the subject of this Agreement and submit summary reports of said records to Miami-Dade County as part of each annual claims-submission. The Company will retain said personnel and financial records for a period of three (3) years after payment of the last cash incentive award.

THIS INFORMATION TO BE COMPLETED BY THE BEACON COUNCIL

Section 13. Projected New Revenue to Miami-Dade County

List the amount and type of projected taxes this project will provide in the form of new revenue to Miami-Dade County: - See attached Tax Analysis.

Amount \$ _____

Sales Taxes _____

Amount \$ _____

Property Taxes _____

Amount \$ _____

Other Taxes _____

(List)

SEE ATTACHED TAX ANALYSIS

Section 14. If Project will be locating or expanding in a targeted area

- ☒ Enterprise Zone
- ☐ Unincorporated Miami-Dade County
- ☒ City of Miami
- ☐ City of Hialeah
- ☐ City of Opa-locka
- ☐ Miami Beach
- ☐ Perrine-Cutler Ridge
- ☐ Homestead/Florida City
- ☐ Satellite (Pro Player Stadium)
- ☐ Empowerment Zone
- ☐ Developable Site
- ☐ Target Urban Area (TUA)
- ☐ _____
- ☐ Community Development Block Grant area
- ☐ Brownfields

Section 15. Application Confirmation

- 15.1 Company telephone contact number (305) 670-7884
- 15.2 Date Application Received 20 10/10/03

15.3 Date Application Completed/Finalized

10/22/03

15.4 Date Application presented to Miami-Dade County

10/22/03**Section 16. Maximum Award and Agreement End Date**

(To be completed by The Beacon Council and/or Miami-Dade County.)

16.1 \$ 225,000 The maximum amount of TJIF cash incentive awards which the Company is eligible to receive on the project.16.2 Maximum Award in Fiscal Year – See Attached Tax AnalysisMaximum Amount

FY _____
 FY _____
 FY _____
 FY _____
 FY _____
 FY _____
 FY _____
 FY _____
 FY _____
 FY _____

\$ _____
 \$ _____
 \$ _____
 \$ _____
 \$ _____
 \$ _____
 \$ _____
 \$ _____
 \$ _____
 \$ _____

16.3 The term of this Agreement shall commence upon full execution of this Agreement and continue through December, 2011, unless terminated earlier in accordance with the Code of Miami-Dade County, Chapter 2, Article LXXXVI, and as further modified by Ordinance No. 02-251, as may be amended.

Section 17. Parties

The parties designate the following offices and addresses:

County:

Director, Office of Community and Economic Development
 Miami-Dade County
 140 West Flagler Street, Suite 1000
 Miami, FL 33130

Company:

C/o Fox 27 Management, Inc.9100 S. Dadeland Blvd., Suite 410Miami, Florida 33156

Section 18. Termination

- 18.1 This Agreement may be terminated by Miami-Dade County upon failure of the Company to comply with any material term or condition of this Agreement or a decision by the Company not to proceed with the project. A termination will result in the loss of eligibility for receipt of all cash incentive awards previously approved and scheduled, but not paid, as well as the revocation of the certification as a TJIF business. The foregoing notwithstanding, in the event that Miami-Dade County fails to pay the Company a cash incentive award to which the Company is eligible under Agreement as a result of insufficient County funds or for any reason whatsoever, the Company shall have the right to terminate this Agreement and shall be entitled to retain any cash incentive award or credits previously paid or awarded to the Company by Miami-Dade County under this Agreement. Compliance with the terms and conditions of the Agreement is a condition precedent for receipt of cash incentive awards each year. The failure to comply with the terms and conditions of this Agreement shall result in the loss of eligibility for receipt of all cash incentive awards previously authorized pursuant to this section, and the revocation of the certification as a qualified applicant by the County Manager.
- 18.2 This Agreement may be terminated by Miami-Dade County if it finds that the Company has provided false or misleading information in any part of this Application and Agreement or if the Company attempts to meet any of its obligations under this TJIF Program through fraud, misrepresentation or material misstatement. If Miami-Dade County terminates this Agreement for breach of this Section 18.2, the Company shall within 90 days refund to the County all cash incentives awards paid to the Company as a result of the false information.

Section 19. Legal Requirements

- 19.1 This Agreement is executed and entered into in the State of Florida, and will be construed, performed and enforced in all respects in accordance with the laws and rules of the State of Florida. Each party will perform its obligations in accordance with the terms and conditions of this Agreement. Any and all litigation arising under this Agreement shall be brought in the appropriate court in Miami-Dade County, Florida. If any term or provision of the Agreement is found to be illegal and unenforceable, the remainder of the Agreement will remain in full force and effect and such term or provision will be deemed stricken.

RECEIVED

IN WITNESS WHEREOF the Parties have caused this Agreement to be executed by their duly authorized representatives on this _____ day of _____, 2003 OCT 24. AM 8:11

ATTEST: (SEAL)

MIAMI-DADE COUNTY, FLORIDA

By: _____
Print: _____
Title: _____

By: _____
Print: _____
Title: _____

Approved as to form and legal sufficiency:

By: _____
Assistant County Attorney

State of Florida)
County of Miami-Dade)

The foregoing instrument was acknowledged before me by _____, County Manager, and _____, Deputy Clerk, respectively, on behalf of Miami-Dade County, Florida, this _____ day of _____, _____.

Notary Public – State of Florida

Print Name: _____

Commission expires: _____

ATTEST: (SEAL)

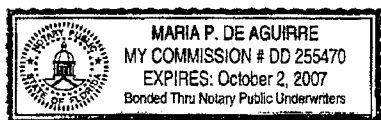
Company name: Commercial Financial
Institution IN Organization

By: _____
Print: _____
Title: _____

By: Vincent F. Post, Jr.
Print: VINCENT F. Post, Jr.
Title: DIRECTOR

State of Florida)
County of Miami-Dade)

The foregoing instrument was acknowledged before me by VINCENT F. Post, Jr., personally known, DIRECTOR (Title), on behalf of COMMERCIAL FINANCIAL INSTITUTION IN ORGANIZATION (Company), this 22 day of October, 2003.



Notary Public – State of Florida

Print Name: MARIA P. DE AGUIRRE

Commission expires: October 2, 2007

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INCENTIVE PROPOSAL CHECKLIST

Project Name:

New Bank

1. Number of New Jobs Projected	75
2. Average Salary per Job	\$59,000
3. New Capital Investment	\$9,300,000
4. New Square Footage	TBA
5. Per Job Incentive	\$3,000

TARGET JOB INCENTIVE FUND GRANT BASED UPON THE CREATION OF

75 New Jobs Over

3 Years

TOTAL QTI TAX REFUND

2. Miami-Dade County TJIF Match (100%)	\$225,000
Total TJIF Refund Proposal (\$3,000 per job)	\$225,000

RETURN ON INCENTIVE INVESTMENT (ROI)

1. Miami-Dade County Incremental Tax Revenue*	\$300,783
2. Total Miami-Dade County (100%) TJIF Match	\$225,000
3. Net Revenue Benefit	\$75,783
Total ROI Gain/Loss/Breakeven	1.34

* See Economic Impact Analysis - Tab IV

SUMMARY OF ECONOMIC IMPACT:**New Bank**

Totals represent what Miami-Dade County would potentially gain over a projected six year period if the business expands in Miami- Dade County.

Employment

Direct Employment	75
Indirect Employment	38
Total Employment Gain	113

Income from Wages

Direct Employment	\$23,589,970
Indirect Employment	\$5,897,493
Total Income Gain	\$29,487,463

Revenue to Miami-Dade County

Total Property Taxes	\$286,452
Total Local Sales Taxes	\$14,331
Total Tax Revenue Gain	\$300,783
Total Miami-Dade County (100%) TJIF Grant Match	\$225,000
Net Revenue Benefit	\$75,783

BEACON COUNCIL ECONOMIC IMPACT MODEL
New Bank

Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	TOTAL
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EMPLOYMENT

Total Direct Jobs	28	52	75	75	75	75
Indirect Employment	14	26	38	38	38	38

<u>TOTAL EMPLOYMENT</u>	42	78	113	113	113	113
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INCOME (\$1,000)

WAGES & SALARY

Total Direct Wages	\$1,652.0	\$3,160.0	\$4,694.5	\$4,694.5	\$4,694.5	\$4,694.5	\$23,590.0
Total Indirect Wages	\$413.0	\$790.0	\$1,173.6	\$1,173.6	\$1,173.6	\$1,173.6	\$5,897.5

TOTAL WAGES & SALARIES	\$2,065.0	\$3,950.1	\$5,868.1	\$5,868.1	\$5,868.1	\$5,868.1	\$29,487.5
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<u>TOTAL INCOME</u>	\$2,065.0	\$3,950.1	\$5,868.1	\$5,868.1	\$5,868.1	\$5,868.1	\$29,487.5
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INCREMENTAL PROPERTY TAXES (\$1,000)

Building & Equipment Taxes

TOTAL PROPERTY TAXES	\$203.3	\$191.7	\$181.3	\$171.9	\$159.1	\$155.9	\$1,063.1
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MIAMI-DADE PROPERTY TAXES	\$54.8	\$51.7	\$48.8	\$46.3	\$42.9	\$42.0	\$286.5
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SALES TAXES (\$1,000)

Available Income	\$2,065.0	\$3,950.1	\$5,868.1	\$5,868.1	\$5,868.1	\$5,868.1	\$29,487.5
Less Federal Income Tax	\$1,652.0	\$3,160.0	\$4,694.5	\$4,694.5	\$4,694.5	\$4,694.5	\$23,590.0
Less Hous, Ins, Prop Tax	\$1,239.0	\$2,370.0	\$3,520.9	\$3,520.9	\$3,520.9	\$3,520.9	\$17,692.5
Less Savings, Life Insur.	\$1,115.1	\$2,133.0	\$3,168.8	\$3,168.8	\$3,168.8	\$3,168.8	\$15,923.2
Less Food, Drugs, Other Non-Tax	\$836.3	\$1,599.8	\$2,376.6	\$2,376.6	\$2,376.6	\$2,376.6	\$11,942.4

Avail. Income For Sales Tax	\$836.3	\$1,599.8	\$2,376.6	\$2,376.6	\$2,376.6	\$2,376.6	\$11,942.4
State Sales Tax Realized	\$50.2	\$96.0	\$142.6	\$142.6	\$142.6	\$142.6	\$716.5
Local Sales Tax Realized	\$1.0	\$1.9	\$2.9	\$2.9	\$2.9	\$2.9	\$14.3

<u>TOTAL</u>							
<u>SALES TAXES (\$1,000)</u>	\$51.2	\$97.9	\$145.4	\$145.4	\$145.4	\$145.4	\$730.9

<u>TOTAL MIAMI-DADE</u>							
<u>PROPERTY &</u>							
<u>SALES TAXES (\$1,000)</u>	\$55.8	\$53.6	\$51.7	\$49.2	\$45.7	\$44.8	\$300.8

<u>TOTAL</u>							
<u>PROPERTY &</u>							
<u>SALES TAXES (\$1,000)</u>	\$254.5	\$289.6	\$326.7	\$317.3	\$304.5	\$301.3	\$1,794.0

New Bank

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Employment Assumptions

New Direct Permanent Jobs

Year 1	28
Year 2	52
Year 3	75
Year 4	75
Year 5	75
Year 6	75

Incremental Multiplier

* For every 100 direct jobs, 50 indirect jobs will be created. Total multiplier effect is 1.50.

Annual Income Assumptions

Yearly Salary, Direct Permanent Job	\$59,000
Indirect Job Salary	\$29,500

Capital Investment

Y1 Value	\$9,300,000
Y2 Value	\$8,770,000
Y3 Value	\$8,293,000
Y4 Value	\$7,863,700
Y5 Value	\$7,277,330
Y6 Value	\$7,129,597

Inflation

103%

Property/Real Estate Taxes

Mill Rate, Less Dade's Revenue	0.01597
Miami-Dade's Revenue Mill Rate	0.00589
Miami-Dade's Total Mill Rate	0.02186

Assessment Value of Real Property	90%
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Sales Tax Rates

Calculation: Income Available For Sales Tax

Income Devoted to:

Federal Income Tax Liability, 20%	0.80
Housing, Insurance, Real Estate Taxes, 25%	0.75
Savings, Life Insurance, 10%	0.90
Food, Drugs, Other Non-Tax Items, 25 %	0.75

Sales Tax Rates

Florida Sales Tax	6.00%
Miami-Dade County Sales Tax	0.12%
Total Sales Tax	6.12%

Targeted Jobs Incentive Fund (TJIF) Cash Incentive Awards Program
Company List in Chronological Order

Company:	Goods/Services:	Date to BCC:	Reso No.:	Funding Source:	Current Status:	Maximum Project Cash Awards:	Designated Priority Area?	No. of Jobs to be created	Amount of Capital Investment	FY 2003-04 Estimate	FY 2004-05 Estimate	FY 2005-06 Estimate	FY 2006-07 Estimate	FY 2007-08 Estimate	FY 2008-09 Estimate	FY 2009-10 Estimate	FY 2010-11 Estimate	FY 2011-12 Estimate	FY 2012-13 Estimate	FY 2013-14 Estimate	FY 2014-15 Estimate	FY 2015-16 Estimate
1. Ryder System, Inc.	Supply chain and transp. management	12/17/2002	R-1481-02	Gen. Fund	Agreement approved	\$1,352,634	No	10 in 3 yrs	40 million	\$0	\$0	\$0	\$195,260	\$195,260	\$195,260	\$195,260	\$195,260	\$195,260	\$195,260	\$195,260	\$195,260	\$195,294
2. Alienware Corp.	Computer games manuf.	12/17/2002	R-1480-02	Gen. Fund	Agreement approved	\$293,493	No	155 in 3 yrs	5.8 million	\$0	\$0	\$29,350	\$29,350	\$29,350	\$29,350	\$29,350	\$29,350	\$29,350	\$29,350	\$29,350	\$29,343	\$0
3. Colonial Press Intl.	Commercial Printing	5/6/2003	R-468-03	Gen. Fund		\$198,650	yes	13 in 3 yrs	5.125 million	\$0	\$19,966	\$19,966	\$19,966	\$19,966	\$19,966	\$19,966	\$19,966	\$19,966	\$19,966	\$19,966		
4. Dosai Tobacco Corp	Cigarette Manufacturing	5/6/2003	R-467-03	Gen. Fund		\$176,598	No	16 in 5 years	8 million	\$0	\$29,433	\$29,433	\$29,433	\$29,433	\$29,433	\$29,433						
5. Badia Spices, Inc.	Food kindred prod manufacturing	5/6/2003	R-466-03	Gen. Fund		\$80,467	No	20 in 3 yrs	3million	\$13,415	\$13,415	\$13,415	\$13,415	\$13,415	\$13,415							
6. Confidential Project	Pharmaceutical Mfg.	5/6/2003	R-470-03	Gen. Fund		\$96,625	Yes	24 in 2 yrs	4.5 million	\$0	\$14,254	\$14,254	\$14,254	\$14,254	\$14,254	\$14,254						
7. U.S. Cold Storage, Inc	Refrigerated Warehousing	7/8/2003	R-760-03	Gen. Fund		\$313,805	Yes	20 in 3 yrs	11.25 million	\$0	\$52,300	\$52,300	\$52,300	\$52,300	\$52,300	\$52,300						
8. PAL Laboratories, Inc	Nutritional Products Manufacturing	7/8/2003	R-761-03	Gen. Fund		\$373,774	No	50 in 3 yrs	8 million	\$0	\$37,377	\$37,377	\$37,377	\$37,377	\$37,377	\$37,382	\$37,382	\$37,382	\$37,382	\$37,387		
9. Conf. Proj. 03-00242	Communications Equipment Mfg/Mktg	9/9/2003	R-836-03	Gen. Fund		\$468,637	Yes	100 in 3 yrs	18 million	\$0	\$77,776	\$77,776	\$77,776	\$77,776	\$77,776	\$77,777						
10. Safe Air	Pilot and Crew training academy																					
11. Sherian Broadcasting	TV studios	BCC nov 4		Gen. Fund		\$219,356	Yes	50 in 3 yrs	8 million	\$0		\$36,564	\$36,564	\$36,564	\$36,564	\$36,564						
12. TBD Bank	Commercial Bank	EDHS Nov 12		Gen. Fund		\$225,000	Yes	75 in 3 yrs			\$37,500	\$37,500	\$37,500	\$37,500	\$37,500	\$37,500	\$37,500					
Totals:						\$4,387,019		533		\$13,415	\$244,521	\$347,935	\$543,195	\$543,195	\$543,195	\$529,792	\$556,023	\$281,958	\$281,963	\$224,603	\$195,294	

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